App. F. IX-4

1920

File No. 25-20

Previous References (Leegis)

Serial Nos. 1-4

Later References

Vol 179-39 (1-2)

General and Revenue Secretariat.

A. Collection

Serial Nos. Four

Manuscript **Part** for January 1923.

SUBJECT

Identification of Prisoners Regulation

19 20

~~Previous reference.~~ File No. 25-20

GOVERNMENT OF HIGHNESS THE MAHARAJA OF MYSORE.

Proceedings of the General and Revenue Secretariat.

for January 1923.

Secret and Legislative (Legislation)

Identification of Prisoners regulation.

"A" Collection Serial No 1-4

Table of Contents.

Serial No	Number and date of letter and contents	Page in A Proceedings
1.	From the I. G. of Police. No C 993 dated 8-10-1920. Forwards a copy of the Bihar and Orissa Police Gazette containing the New Act XXXIII of 1920 about the identification prisoners and suggests that a similar Regulation may be introduced into the State to prevent the commission of offences.	
2.	To the I. G. of Police. No G 13883 dated 17-1-1921. Enquires what will be the extra cost and ~~expenditure~~ establishment required if the Regulation is passed.	
3.	From the I. G. of Police. No ROC 993 dated 21-1-1921 States that no extra establishment will be required for the taking of finger prints and photographs as the proposed measure only legalises what is being done at present.	
4.	To the Compiler, Mysore Gazette. No P 5585 dated 8-1-1923. Ordered that the Regulation to authorise the taking of measurements and photo-	

photographs of convicts and others which received the assent of His Highness the Maharaja, on the 26th day of December 1922, be published as Regulation No VI of 1922.

T. V. R.

G. R. S. III-1] 1920.

GENERAL AND REVENUE SECRETARIAT

(~~Police~~ Legs

NOTES.

File No. ~~66-20~~ 25-20

FILE HEADING.

~~Question of introducing a Regulation for the~~ Identification of prisoners. Regulation

From

The I. G. of Police in Mysore.

No. C993 Dated 8. 10. 1920 Received 9/13. 10. 1920

Diary No. 8189 Enclos. 1 Spare Copies. — Serial No. 1

BRIEF ABSTRACT OF LETTER.

Forwards a copy of the Bihar and Orissa Police Gazette containing the New Act No. XXXIII of 1920 about the identification of prisoners & suggests that a similar Regulation may be introduced into the State to prevent the commission of offences.

NOTES AND ORDERS.

1) If it is deemed expedient to pass the Regulation in question, necessary action will be taken in the Legislative Session.

Subd. for orders.

SBB

14/10 A.S.R

15/10

Sheet.

G. R. S. III-2.

General and Revenue Secretariat.

Legal

File No. 25 of 19 20.

Serial No.

I do seems to be a useful measure
Legislation, a Draft Bill will
have up

D. M.
21/10

III Member

Mir Hamza Hussain

31/10

Assembly

4) Please see the Act Mysore Coinage Act
published in Jam issue of the gazette. I
no such amending Act necessary
for Mysore

Mir Hussain

31/10

D. M.
31/10

5) Send with a draft Bill with
statement of objects &
reasons

6) With reference to the
Coinage Act, such an
Act is not necessary in
our State as we have no
separate coinage and the
Acts & Rules of British
India are applicable
to the State and reference is
invited to Article 12 of the
Mysore Treaty

Sd/- S. G.
26/12
Sd/- A. S. T
11/12

G. R. S. III-2]

General and Revenue Secretariat.

Legs File No. 25 of 1920

Serial No.

7) Send with a draft Bill and Statement of O & R as also a note as necessary regarding the Coinage Act (XXXVI of 1920) as we have no separate Coinage Act and regard is invited to art. 12 of the Mysore Treaty in this connection

P. Mahadeva Iyer 15/12

G. Aravamudu 16/12

Revised

III Member.

D. M. 16/12

8) Approved

Chief

9) Chief Minister. Please submit to the Dewan if draft agreed by Council after approval

Sir P. Ramanathan 17/12

Dewan

Chief 17.12

10) Legs

D. M. 18/12

Chief Secretary's Office

11) 20.12.20

To the Chief Secretary with Compliments for further action

Legislative 21.12.20

12) Circulate

Chief Secretary's Office 21.12.20

D. M. 21/12

4

(For Disposal by Circulation.) 9189 No. C. 423. 4

.....19.....

Legis. 25-20.

GENERAL AND REVENUE SECRETARIAT.

Council Matter

SUBJECT.

Question of introducing a bill for the Identification of Prisoner

CIRCULATED TO THE MEMBERS OF COUNCIL.

By Order,

C. Balasundaram
Chief Secretary to Government.

4th January 1921.

Extraordinary Member of Council. (13) Seen 9.1.21

First Member of Council. (13) Law action for - Has a case been made out? Is a Criminal Province that these powers are necessary. Further (on leave) the rule? Cultural adol Ext. & Pr. A.R. 6/1

123 5/1/21

Second Member of Council.

Third Member of Council. Opinion recorded.

(14) with Hon'ble Minister for Education

8169

R. S. III-2]

General and Revenue Secretariat.

Legs File No. 25 of 1920.

Serial No.

1) D. J. to Subas

2) Subs arrd a D. J. as ordered.

D no 1/1

III Member -

17/12 May a decision in Council upon which reference appears

Secy 14/1

3) In this connection, the Q may be asked whether there any extra Establishment will be needed & if so what will be the extra cost

Secy Home Dept 14/1

4) Call for the information. After this is done the file may be submitted to Member for orders

Secy 15.1.21

Draft &

Secy 17/1

5) Issues today D. Mahadevan 17/1

2. To the D. G. of Police No 1888 S. Enquiries what will be the extra cost & establishment required if the Regs is passed

G. R. S. III-2]

1573

6

General and Revenue Secretariat. | Legislative File No. 25 of 1920

Serial No.

3 From D S of Police
No R O C 99 3 of 21-1-21
states that no extra establishment will be required for the taking of finger prints & photographs as the proposed measure only legalises what is being done at present

23) Submitted with reference to paras 18 & 19 supra

Sd
26/1/21

(Rev: Secy)

P. Mahadevayya
27/1

24) Submitted for orders with reference to para 18 (17)

Devan
28.1.21

Devan

25) Mr. may be consulted in early

Secretary
4.2.21

In favour of recirculation

Ch Secy's wants
Complete - 4.2.21.

Council Section.
Complete.
5/2

(For Disposal at a Meeting)

No. C. 423

.....1920-21

7

GENERAL AND REVENUE SECRETARIAT.

Council Matter.

SUBJECT.

(Clause ii of the schedule)

Question of introducing a bill for the identification of prisoners.

Re-CIRCULATED TO THE MEMBERS OF COUNCIL.
with reference to the Third Member's and Dewan s remarks dated 14th January 1921 and 4th February 1921 respectively.

By Order,

.....5th February 19.21. Offg. *Chief Secretary to Government.*

Extraordinary Member of Council.

First Member of Council.

4125-37
17.2.21.

Second Member of Council.

15.2.21.

4769
17.2.21

Third Member of Council.

16/2

Extract from the Proceedings of the 558th *Meeting of the Council of His Highness the Maharaja, held at Bangalore on the* 5th March 1921 .

312. ubject. - Clause ii of the Schedule.

uestion of introducing a bill for the identifica-
tion of Prisoners. (Legis. 25-20).

Opinion of the Council.

A bill on the lines of the British India Act
XLIII of 1920 may be introduced.

(Sd.) M. Kantaraj Urs,
Dewan of Mysore.

C 423 9 9

G. R. S. III-2]

15573

General and Revenue Secretariat.

Legs File No. 25 of 19 20

*23. As soon as circulation is complete and the opinion of the Council is recorded, the file will be forwarded to the Secretary in the Department concerned for transmission if need be to the Financial Secretary under Standing Orders and for submission to the Dewan or Member in charge.

Extract from the Proceedings of the Council is put up.

Forwarded with compliments to the Revenue Secretary to Government.....

under *Rule 23 of the Subsidiary Rules of Council Business.

By Order,

Chief Secretary to Government.

27) Submitted for submission of D.O. to 3rd Member
B. Ramaswamy Ayy
9.3.21.

28) Please send up with D.O.N. Note.
D. Mahadevan
10/3

29) D.O.N. and D.O. S.N. submitted.
S.G. S.G.
10/3 10/3

30) Please have the D.O.N. typed
D. Mahadevan
10/3

31) Typed D.O.N. submitted
S.G. S.G.
15/3 15/3

3rd Member
D. Mahadevan
15/3

5331
16.3.21

DEWAN'S OFFICE.
Recd. on MAR 21 1921
Reg. No. 5987

16/3

Submitted to D.S.N.

18/3/21

Returned

18/3

NOTE.—Cotc. Sheet.

WD—307—GPB - 1,000—18-8-19

Final Note by the Third Member of Council.

250

Subject:-

Question of introducing a bill for the identification of prisoners.

---

32 In his letter of the 8th October 1920 the Inspector General of Police suggested the desirability of passing a Regulation in the State on the lines of the British Indian Act XXXIII of 1920, (an Act to authorise the taking of measurements and photographs of convicts and others.)

33 (2) A draft Bill was accordingly prepared under my orders. When the file was circulated to the First Member he recorded the following minute:-

"I am not in favour Ours is not such a criminal province that these special measures are necessary. Further this will entail additional establishment and expenditure."

(3) The Inspector General of Police was consulted as to the extra establishment required and he states that no extra establishment is or will be required as the proposed measure is intended to legalise what is being done in the matter of finger prints and photographs. The question was then considered in Council and the Dewan and Members are of opinion that a bill on the lines of the British Indian Act XXXIII of 1920 may be introduced.

35 (4) The opinion of the Council may be graciously approved and permission granted to place the Bill before the Legislative Council.

17th March 1921.

MEMBER OF COUNCIL.

Submitted to His Highness.

...

36/ I submit herewith a Final Note by the Third Member of Council on the subject of introducing a Bill for the identification of prisoners, for His Highness' gracious approval.

22nd March
192

12

Record of Cases submitted for the Orders of His Highness the Maharaja.

Subject.

Introduction of a bill for the identification of prisoners.

37) ***Order.***

KRM

25/3/21

C 423.

13

15673

G. R S. III-2]

General and Revenue Secretariat.

Legl File No. 25 of 1920

Serial No.

31. All urgent or confidential files returned with His Highness' orders may, in the absence of instructions or indications to the contrary, be ordinarily circulated to the Members of Council for perusal after the issue of orders.

33. The Secretaries concerned should see that orders in the cases referred to above are issued at once and that the files are returned immediately after to the Chief Secretary for circulation to the Members.

34. In all other cases, the files will first be circulated to the Members of Council at headquarters and then sent to the Secretariat concerned for the issue of orders.

Circulated to the Members of Council for perusal of His Highness' orders ~~before~~ / ~~after~~ issue of orders. (*Vide* Rules 31, 33 and 34 of the Subsidiary Rules for the conduct of business of Council in the Manual of Council Rules and Procedure.)

Chief Secretary to Govt.

Through the Secretary to Government,

.....Department.

FIRST MEMBER OF COUNCIL

SECOND MEMBER OF COUNCIL

THIRD MEMBER OF COUNCIL.

NOTE—Contn. sheet.

Rev. Secy. with Compliments

G. R. S. III-2]

General and Revenue Secretariat.

Leg. File No. 25 of 1920.

Serial No.

The bill, if approved, may be introduced into the Legislative at this next meeting

Submit with the forms for obtaining the Sanction of the Dewan for the introduction of the bill into the Legislative.

Sle
6/4
Asst 6/4

Mano put up draft letter to the Residency first

D. M. 8/4

Subd Since the Bill does not affect any Pre Jurisdiction law no reference to the Residency is necessary at this stage according to the recent arrangement agreed to. After publication of the Bill in the gazette later on copy of the Bill will be sent to the Residency under the new rule.

Asst 8/4

The printed form is subd for signatures

D. M. 8/4

3rd Member

Draft Subd for favour of signature

Mahadwala
11/4

Dewan

Signed by the Dewan
13.4.21

D. M. 14/4

G. R. S. III-21

General and Revenue Secretariat.

Leg File No. 25 of 1920

Serial No.

38) Leave was granted to introduce the Bill at the meeting on the 27th

Sd/ to draft publishing the Bill

Sd/ 22/6/21

Please examine the Bill once again & report

D M 11

Issued 45 & 18-7-21

The Bill as to be read & referred to a select committee at the meeting of the council on the 15th

Members of the S. C have now to be decided upon

Sd/ 11/11/21 Sd/ for orders

From the following members a selection may be made

(1) 1st member
(2) Mr A Subramanya Iyer. (Secretary)
(3) Dr HB Sylvagnanam
(4) Mr KP. Puttanna chetty, retired Cantonment Magistrate
(5) Mr. CS Balasundaram Iyer
(6) Mr H. Chennigaya
(7) Mr H Venkataramana
(8) Mr RN Aiyangar.

Dr. Arunagam, retired Senior Surgeon, may be invited to attend under rule 43 of the manual

1st member Sd/ 14/11 Sd/ 12.11.

R. S. III-2,

General and Revenue Secretariat.

Leg/ File No. 25 of 19 20

Serial No.

At the meeting of the Legislative Council the Bill was read & referred to a Select Committee consisting of the members stated in the previous foregoing Orders and directed as regards the date of the meeting

17/11/21 (1st Member) 17/11 cwg 18.11.21

Please bring up later 21.11 cwg

(Leg) Resubd for favour of a date for the meeting of the Select Committee

16/2/22 (1st Member) cwg 17.2.22

Hon'ble Mr. Hill the Supply Member in Charge of the Bill

Mover & Seconder

Leg 23/3

Devan may be added as the 3rd Non-official Member. 23/3 cwg

Hon'ble Mr. Hill as noted in the last para.

G. R. S. III-2

General and Revenue Secretariat.

Leg File No. 45 of 19 22

Serial No.

the meeting of the Legn Cl. on the 10th inst the name of the 2nd member was substituted for that of the Dewan the Constitution of the Select Committee

The file may now be closed for favour of a for Convening the S. C mee

4947
13.4.22

Eg
11/4/22

2nd member) — Cag
11/4 ~~signed~~ 12/4

Members order
Saturday, 8th July, 1922 (8.30 A.M) may be fixed for the meeting — Please move the members of the Select Committee.

AAL 6/5/22 Cag 45

Eg 29/6/22

Sd/ with a Diary notice to the members.

Orders solicited by Dr Armugam Mudr Shall be issued as suggested by the Asst Secy on 12.11.21.

AAL 29/6

The Dewan has agreed to that suggestion Hence an invitation may be sent

G. R. S. III-21

General and Revenue Secretariat. | Legs File No. 25 of 1920.

Serial No.

Submitted with a Draft answer to Dr Annamalai Mudaliar's Resn 1/17/Apr 4/7 Issue as drafted 9/L.C 9/5/17/Apr 4-7

draft Select Committee Report - & necessity for up & read the Govt verbal answers are to meet or mistakes corrected in Printing - as such need not be brought in the above - but when introducing the Regulation Case will be taken to avoid them

Read Issue as 27.7 27/7.

Please type as revised typed up 27.7

General and Revenue Secretariat.

Legs File No. 25 of 1920.

Serial No.

Please prepare copies & send them as to members of Select Committee for approval

Asst
14/8

draft Libd

Bose
14.8.22
Asst
14/8

Bose
Asst
14/8

Issued L.C 98-102; 16.8.22

Forwards S.C. Report draft 6 the following for approval

Mr A Subramanya Iyer ✓1048
Dr H.B. Muthuraman 1007
Rao Sahib H. Chennayya Pd 1099/4
H. Venkatramanya Pd 995
K. Shankaranarayana Rao ✓1011

The draft Select Committee report has been returned by the Committee members who attended the meeting with their approval"

Libd for orders with a draft publishing the Report - The recommendation of the Select Committee is that this need not be published but may be included in the Agenda

Bose
23.8.22
Asst
24/8

Asst
25/8

Publish

Asst
28/8

General and Revenue Secretariat: | Legi File No. of 1920.

Serial No.

L.C 107 dated 30.8.22

To the Compilation, Langpore Gazette

Published the Report of the Select Committee for general information

Three copies of the S.C. Report have been received. They may be sent to the members for information if approved

Draft Bill for this & for the S.C. Report on the Petroleum Bill also from (vide linked file)

5.10.22

Issue

Issued 217 as-Cr 9/10/1922

A copy of the Bill as finally passed is put up

Submitted a D.F.N.

and member

Sylhet

21/12

22/12/22

Submission note is put up.

Dewan

3/1

Final Note by the Second Member of Council.

Subject :—

Promulgation of the Bill to authorize the taking of measurement and photographs of convicts.

---

38) With the sanction of His Highness the Bill was introduced into the Legislative Council at its meeting on the 27th June 1921 and it was read and referred to a Select Committee on the 15th November 1921. The only addition suggested by the Select Committee was that the Bill should be brought into force immediately after promulgation. The Bill after consideration was finally passed by the Council on the 18th December 1922.

39) The gracious sanction of His Highness is now solicited for promulgating the Bill into law.

Bangalore,
21st December 1922.

MEMBER OF COUNCIL.

22

Submitted to His Highness.

—◆—

(W) *I submit herewith a Final Note by the* Saaand.... .. *Member of Council on the subject of* ...promul.gation..of the Bill to authorise the taking of measurements & photographs of convicts. ..... *for His Highness' gracious approval.*

Dewan.

23 DEC 1922

Record of Cases submitted for the Orders of His Highness the Maharaja

Subject.

Promulgation into law of the Bill to authorise the taking of measurements and photographs of convicts.

General and Revenue Secretariat. | Leg. File No. | of 19

Serial No.

42) Submit with a draft G.O promulgating the Bill into Law.
S.G
26 1/4/23. A.S.R (Sent Leg)
21
J. Alagiri Gow 25/4

43) For general discussion
4349 (II nd reading)
4.1.23 Srinivasamurthi 4.1.23 Iyengar

44) Mr. Hamza Hussain
5/1 (Mr 6.1.23)

45) Some Body By J. Alagiri Gow 6/1

4 To The Compiler Gazette
for P 5585 8/1/23
Promulgation the Bill in Tamil

No. C-993

Office of the Inspector-General of Police in Mysore.
Dated Bangalore, 8th October 1920.

8/10-10-20

From

A. Subrahmanya Iyer, Esq., B.A.,
Inspector-General of Police in Mysore,
Bangalore.

To

C. S. Balasundaram Iyer, Esq., B.A.,
Chief Secretary to the Government
of His Highness the Maharaja of Mysore,
Bangalore.

Sir,

I have the honor to enclose a copy of the Bihar and Orissa Police Gazette of 11th Instant and to invite reference to the New Act No.XXXII of 1920 relating to the identification of prisoners printed on page 636 thereof. This is a very useful Regulation and deserves to be introduced into the State. It is necessary that the Police should have the power to take photographs of criminals with a view to prevent the commission of offences.

From the time I assumed charge, I have been telling the Chief Police Officer, Bangalore City (now Assistant Superintendent of Police and formerly Chief Inspector) that the photographs of all K.Ds. should be taken. After a few were taken the K.Ds. took legal opinion and demurred to photographs being taken.

In these circumstances, I have the honor to suggest that a Regulation on the lines of this Act might be ~~proposed~~ passed in Mysore also at an early date.

Rules also will have to be framed without delay after the Regulation is passed.

I have the honor to be,
Sir,
Your most obedient servant,

Inspector General of Police.

WD 2233—GPB—[illegible]—1342

From

The Offg. Inspector-General
of Police in Mysore.

To

The Chief Secy. to the Govt.
of H. H. the Maharaja of Mysore

Dated
Despatched } 8 10 20
Received

General No. C. 993

Encl. No. 1

G. R. S. VI—G/32]

SUBJECT...

.....

.....

Diary No. of letter replied to——

General and Revenue Secretariat

( )

, *the* *191*

Date of issue 17/1/21

Signed by— Mr P. M.

Section

File No: 2/3

Serial No. 9

No. G 1.3883

To The J. S. of Police

Sir,

With reference to your letter No C.993/E of 8th Oct. 1920 suggesting the desirability of passing a Regn in the State similar to the British Indian Act XXIII of 1920 (Identification

I am directed to enquire
if any extra establishment
would be ~~needed~~ required
if the measure is
passed and if
so what extra cost would be
~~the extra cost~~
involved. Thereby
I have &c

No. Adc 993 Office of the Inspector General of Police in Mysore,

Dated Bangalore, the 21st January 1921.

Legs 25-20 8 3

From

A. SUBRAHMANYA IYER, Esq., B.A.,

The Inspector General of Police in Mysore.

REV. S... 24 JAN 1921

To

G. ARAVAMUDU IYENGAR, Esq., B.A., B.L.,

Secretary to the Government of Mysore,

REVENUE DEPARTMENT.

57:30

Legs 25-20-2

Sir,

In reply to your letter No. G.13883/Legis. 25-20-2 dated the 17th Instant, I have the honor to state that no establishment will be required now or is likely to be required hereafter. The proposal is to legalise what is being done now both in the matter of finger prints and photographs. All generally give finger prints and most give photographs. Finger prints will cost nothing extra as provision is being made every year for the supply of the required apparatus. The taking of photographs will involve some cost which will be met from Contingencies or Secret Service Funds for the present.

I have the honor to be,
SIR,
Your most obedient servant,

INSPECTOR GENERAL OF POLICE.

From

The Inspector General of Police

in Mysore.

To

The Secretary to the Government

of Mysore, Revenue Department

Dated the 21st January 1921.

Despatched

Received

General No.

No.

Enclosure No

Office of the Third member of council
Bangalore

Dated 14th April 1921

To Rajasevadhurina Sirdar
M Kantaraj Urs B.A C.S.I
Dewan of Mysore.

SIR,

I beg to request your sanction in writing under Section 12 of Regulation I of 1907, for introducing a bill to authorise the taking of measurements and photographs of convicts and others,

at a meeting of the Mysore Legislative Council.

I have the honor to be,
Sir,
Your most obedient servant,

M. Krishna Rao
Member.

OFFICE OF THE DEWAN OF MYSORE.

Dated.....13th April.....192 1

Mr. ...Mir Hamza Hussain, B.A.,... Member of the Mysore Legislative Council, is hereby permitted to introduce a bill....to authorise the taking of measurements and photographs of convicts and others.....

.....

.....at a meeting of the said Council, subject to the rules for the time being in force under the Mysore Legislative Council Regulation, No. I of 1907.

13th April 1921

Dewan of Mysore.

G. R. S. VI—S-III/13]

DRAFT

SUBJECT .....

.....

.....

Section.
File No.
Serial No.

No. 45/2C

Diary No. of letter replied to.....

GENERAL AND REVENUE SECRETARIAT,

( )

, *the*.....*191*

Date of issue.....18-7-21.....

Signed by.....Mr. D. Muthadevaiya.....

NOTIFICATION.

Under Rule 31/39 of the Rules for the conduct of business of the Mysore Legislative Council, the accompanying.....Identification of Prisoners Bill.....is published for general information with the statement of objects and reasons.

By Order,

Secretary, Mysore Legislative Council.

(Here print the accompanying Bill with the statement of objects and reasons).

To

The Compiler, *Mysore Gazette* for publication in Part III of the Gazette in English and Kannada and for sending 100.....copies in English and 25.....copies in Kannada to this office. Proof should be sent to this office for approval before publication.

Copy to Translator
Secretary

Bill to authorise the taking of measurements and photographs of convicts and others

Whereas it is expedient to authorise the taking of measurements and photographs of convicts and others ~~it~~ the Maharaja is pleased to enact as follows:-

1 (1) This Regulation may be ~~cited~~ called the Identification of Prisoners Regulation, ~~1919~~ 1912 and

(2) It extends to the whole of Mysore State.

2 In the Regulation unless there is anything repugnant in the subject or context, -

(a) "measurements" includes finger impressions and foot-print impressions

(b) police officer means an officer in charge of a police station, a police officer making an investigation under chapter XIV of the Code of Criminal Procedure, 1904, or any other police officer not below the rank of Sub-Inspector and

(c) "prescribed" means prescribed by rules made under this Regulation

3. Every person who has been —

(a) convicted of any offence punishable with rigorous imprisonment for a term of one year or upwards, or of any offence which would render him liable to enhanced punishments on a subsequent conviction,

(b) ordered to give
security for his good
behaviour under
section 118 of the Co
of Criminal Proced
1904,

shall if so requ
allow his measur
and photograph
be taken by a p
officer in the
ed manner

Any person who
been arrested u
connec- with
an offence punishable
with imprison
sonment for
of one

5. If a Magistrate is satisfied that, for the purposes of any investigation or proceeding under the Code of Criminal Procedure, 1974, it is expedient to direct any person to allow his measurements or photograph to be taken, he may make an order to that effect, and in that case the person to whom the order relates shall be produced or shall attend at the time and place specified in the order and shall allow his measurements or photograph to be taken, as the case may be, by a police officer.

Power of Magistrate to order a person to be measured or photographed

Provided that no order shall be made directing any person to be photo

graphed

photographed except
by a magistrate of the
first class

Provided further that
no order shall be made
under this section unless
the person has at
some time been arrest-
ed in connection with
such investigation
or proceeding

(1) If any person
who under this Regu-
lation is required
to allow his measure-
ments or photograph
to be taken resists or
refuses to allow the
taking of the same, it
shall be lawful to use
all means necessary
to secure the taking
thereof

(2) Resistance to or
refusal to allow the
taking of measure-
ments or photogra-

under this Regulation
shall be deemed to be
an offence under Section
186 of the Indian Penal Code

7 Where any person who, Destruction of
not having been fore- photographs and
viously convicted of records of measure-
an offence punishable ments, etc. on acquittal
with rigorous imprison-
ment for a term of one
year or upwards, has
had his measurements
taken or has been photo
graphed in accordance
with the provisions
of this Regulation is
released without trial
or discharged or acquitted
by any Court, all measure-
ments and all photographs
(both negatives and copies)
so taken shall, unless the
Court or (in a case where
such person is released
without trial) the District
Magistrate or Sub-divisional Officer

~~Officer~~ for reasons to be recorded in writing otherwise directs, be destroyed or made over to him

8(1) The Government may make rules for the purpose of carrying into effect the provisions of this Regulation

(2) In particular and without prejudice to the generality of the foregoing powers such rules may provide for

(a) restrictions on the taking of photographs of persons under section 5;

(b) the places at which measurements and photographs may be taken

(c) the nature of the measurements that may be taken

(d)

(d) the method in which any class or classes of measurements shall be taken;

(e) the dress to be worn by a person when being photographed under section 3; and

(f) the preservation, safe custody, destruction and disposal of records of measurements and photographs.

9. No suit or other proceeding shall lie against any person for anything done, or intended to be done, in good faith under this Regulation or in using any such measurements

Bar of suits

Statement of Objects & Reasons

The Object of this Bill is to ~~legalise~~ provide legal authority for the taking of measurements, finger impressions, foot-prints and photographs of persons convicted of, or arrested on suspicion of, certain offences. The ~~nature~~ use of finger impressions and photographs as aids in the detection of crime & the identification of criminals is well known in Japan. The existing system by which the police in Nigeria take finger impressions, photographs etc of

and suspected criminals
is void of legal sanction
except as regards registered
members of Criminal
tribes in whose case
provision exists for
the taking of finger-
impressions ~~in~~ under s 9
of Criminal Tribes
Regulation, 1916

~~The~~ Instances have
recently been reported
to Govt. where persons
have refused to allow
their finger prints or
photographs to be taken
but a view to ~~prevent~~ obviate such
~~such refusals~~ in future
it is considered nec
to regularise & legalise the pr
to ~~place the taking of~~
~~measurements~~ ~~it on~~
~~regular footing~~ A
measurement etc of
person will be taken
compulsorily unless
person has been ar

The Bill closely foll
the British Indian

NOTIFICATION.

Notification No. 45—*L. C., dated* 18*th July* 1921.

Under Rule 31 of the Rules for the conduct of business of the Mysore Legislative Council, the accompanying Identification of Prisoners' Bill is published for general information with the statement of objects and reasons.

By Order,
P. MAHADEVAYYA,
Secretary to Government,
Mysore Legislative Council.

Bill to authorise the taking of Measurements and Photographs of Convicts and others.

Whereas it is expedient to authorise the taking of measurements and photographs of convicts and others, His Highness the Maharaja is pleased to enact as follows:—

Short title and extent.

1. (i) This Regulation may be called the Identification of Prisoners' Regulation, 1921; and

(2) It extends to the whole of Mysore.

Definitions.

2. In this Regulation unless there is anything repugnant in the subject or context,

(*a*) "Measurements" include finger impressions and foot print impressions;

(*b*) "Police Officer" means an officer in charge of a police station, a police officer making an investigation under chapter XIV of the Code of Criminal Procedure, 1904, or any other police officer not below the rank of sub-inspector, and

(*c*) "prescribed" means prescribed by rules made under this Regulation.

Taking of measurements, etc., of convicted persons.

3. Every person who has been

(*a*) convicted of any offence punishable with rigorous imprisonment for a term of one year or upwards, or of any offence which would render him liable to enhanced punishment subsequent conviction, or

(*b*) ordered to give security for his good behaviour under Section 118 of the Code of Criminal Procedure, 1904,

shall, if so required allow his measurements and photograph to be taken by a police officer in the prescribed manner.

Taking of measurements etc., of non-convicted persons.

4. Any person who has been arrested in connection with an offence punishable with rigorous imprisonment for a term of one year or upwards shall, if so required by a police officer, allow his measurements to be taken in the prescribed manner.

Power of Magistrate to order a person to be measured or photographed.

5. If a magistrate is satisfied that, for the purposes of any investigation or proceeding under the Code of Criminal Procedure, 1904, it is expedient to direct any person to allow his measurements or photograph to be taken, he may make an order to that effect, and in that case the person to whom the order relates shall be produced or shall attend at the time and place specified in the order and shall allow his measurements or photograph to be taken, as the case may be, by a police officer:

Provided that no order shall be made directing any person to be photographed except by magistrate of the first class.

Provided further, that no order shall be made under this section unless the person has at some time been arrested in connection with such investigation or proceeding.

Resistance to the taking of measurements etc.

6. (1) If any person who under this Regulation is required to allow measurements or photographs to be taken resists or refuses to allow the taking of the same it shall be lawful to use all means necessary to secure the taking thereof.

(2) Resistance to or refusal to allow the taking of measurements or photographs under this Regulation shall be deemed to be an offence under Section 186 of the Indian Penal Code.

Destruction of photographs and records in certain cases.

7. Where any person who, not having been previously convicted of an offence punishable with rigorous imprisonment for a term of one year or upwards, has had his measurements taken or photographed in accordance with the provisions of this Regulation, is released without trial or discharged or acquitted by any Court, all measurements and all photographs (both negatives and impressions) taken shall, unless the court or in a case where such person is released without trial) the District Magistrate or the Assistant Commissioner in charge of the Sub-Division for reasons to be recorded in writing otherwise directs, be destroyed or made over to him.

Power to make rules.

8. (1) The Government may make rules for the purpose of carrying into effect the provisions of this Regulation.

(2) In particular and without prejudice to the generality of the foregoing provision, such rules may provide for:—

(*a*) restrictions on the taking of photographs of persons under section 5;

(*b*) the places at which measurements and photographs may be taken;

(*c*) the nature of the measurements that may be taken;

(*d*) the method in which any class or classes of measurements shall be taken;

(*e*) the dress to be worn by a person when being photographed under section 3; and

(*f*) the preservation, safe custody, destruction and disposal of records of measurements and photographs.

9. No suit or other proceeding shall lie against any person for anything done, or intended to be done, in good faith under this Regulation or under any rule made thereunder.

Statement of Objects and Reasons.

The object of this Bill is to provide legal authority for the taking of measurements, finger impressions, foot prints and photographs of persons convicted of or arrested in connection with certain offences. The scientific use of finger impressions and photographs as agents in the detection of crime and the identification of criminals is of immense value to those engaged in the investigation and detection of crime.

The existing system by which the police in Mysore take finger impressions, photographs, etc., of criminals and suspected criminals is void of legal sanction except as regards registered members of Criminal Tribes in whose case provision exists for the taking of finger impressions under section 9 of Criminal Tribes Regulation, 1916.

Instances have recently been reported to Government where prisoners have refused to allow their finger prints or photographs to be taken. With a view to obviate such difficulties in future, it is considered necessary to regularise and legalise the present system. No measurement, etc., of any person will be taken compulsorily unless the person has been arrested.

The Bill closely follows the British Indian Act 33 of 1920 passed in September 1920.

G. R. S. VI.—S-III/9]

DRAFT.

SUBJECT.....

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Section.
File No.
Serial No.

No. L.C. 107

Diary No. of letter replied to.....

GENERAL AND REVENUE SECRETARIAT,
( )
, *the*.....191

Date of issue.....

Signed by.....

NOTIFICATION.

Under Rule 40 of the Rules for the conduct of business of the Mysore Legislative Council, the following Report of the Select Committee on the Bill to authorise the taking of measurements and photographs of convicts & others is published for general information ~~with the Bill as amended by them~~.

By Order,

28/8

Secretary, Mysore Legislative Council.

To

The Compiler, *Mysore Gazette* for publication in Part III of the Gazette in English and Kannada and for supplying 150 spare copies in English and 50 copies in Kannada to this office. Proof should be sent to this office for approval before publication

23.8.22

NOTIFICATION.

No. 107—*L. C., dated,* 30*th August* 1922.

Under Rule 40 of the Rules for the conduct of business of the Mysore Legislative Council, the following Report of the Select Committee on the Bill to authorise the taking of measurements and photographs of convicts and others is published for general information.

By Order,
C. ABDUL GHANI,
Secretary, Mysore Legislative Council.

Report of the Select Committee appointed to consider the Bill to authorise the taking of measurements and photographs of convicts and others.

We, the undersigned members of the Select Committee appointed to consider the Bill to authorise the taking of measurements and photographs of convicts and others, have considered the Bill and have now the honour to report that the Bill does not require any modifications of importance and that the only changes needed are the addition of words "and shall come into force at once" at the end of Section I, clause (2) of the Bill and an alteration of the year 1921 into 1922 in clause (1).

We further recommend that the Bill need not be published in the Gazette as the changes effected do not call for such a course.

MIR HUMZA HUSEIN.
A. SUBRAHMANYA IYER.
H. B. MYLVAGANAM.
H. CHENNAYA.
H. VENKATARAMAIYA.
K. SHANKARANARAYANA RAO.

Mr. C. S. Balasundaram Iyer and Dewan Bahadur Rajasabhabhushana K. P. Puttanna Chetty were unable to be present at the meeting.

G. R. S. VI.—s-III/14]

DRAFT.

SUBJECT.....

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Section. Legs
File No. 25: 20.
Serial No. 4

Diary No. of letter replied to.....

GENERAL AND REVENUE SECRETARIAT,

( )

, *the*.....*191*

Date of issue.....

Signed by.....

Proceedings of the Government of H. H. the Maharaja of Mysore.

Order No. P 5585 (Leg) 18 8-12-22

Ordered that the accompanying Regulation to authorise the taking of Measurements and Photographs of Convicts & others which received the assent of His Highness the Mahāraja, on the 2.6.23 day of December 1922, be published as Regulation No. VI of 1922, in the *Mysore Gazette* for general information.

Secretary to Government.

May this be—

(i) Printed?

(ii) Treated as a standing order?

(iii) Published in the "Gazette" English part?

(iv) Translated?

(v) Placed at the disposal of the Press?

(vi) Published in the "Gazette" Kannada part?

To

The Compiler, *Mysore Gazette*, for publication in Part III of the Gazette, in English and Kannada and for supply of .....spare copies in English, and .....spare copies in Kannada as per S.O to this office, and.....spare copies in English and.....spare copies in Kannada to the Curator, Government Central Book Depot, Bangalore. Proofs should be sent to this office for approval before publication.

Copy to Translation section

REGULATION VI OF 1922.

Regulation to authorise the taking of Measurements and Photographs of Convicts and others.

(RECEIVED THE ASSENT OF HIS HIGHNESS THE MAHARAJA ON THE 26TH DAY OF DECEMBER 1922.)

Whereas it is expedient to authorise the taking of measurements and photographs of convicts and others, His Highness the Maharaja is pleased to enact as follows:—

Short title, extent and commencement.

1. (i) This Regulation may be called the Identification of Prisoners' Regulation, 1922;

(2) It extends to the whole of Mysore; and

(3) It shall come into force at once.

Definitions.

2. In this Regulation unless there is anything repugnant in the subject or context,

(*a*) "Measurements" include finger impressions and foot print impressions;

(*b*) "Police Officer" means an officer in charge of a police station, a police officer making an investigation under Chapter XIV of the Code of Criminal Procedure, 1904, or any other police officer not below the rank of a sub-inspector, and

(*c*) "prescribed" means prescribed by rules made under this Regulation.

Taking of measurements, etc., of convicted persons.

3. Every person who has been

(*a*) convicted of any offence punishable with rigorous imprisonment for a term of one year or upwards, or of any offence which would render him liable to enhanced punishment on a subsequent conviction, or

(*b*) ordered to give security for his good behaviour under Section 118 of the Code of Criminal Procedure, 1904,

shall, if so required allow his measurements and photograph to be taken by a police officer in the prescribed manner.

Taking of measurements, etc., of non-convicted persons.

4. Any person who has been arrested in connection with an offence punishable with rigorous imprisonment for a term of one year or upwards shall, if so required by a police officer, allow his measurements to be taken in the prescribed manner.

Power of Magistrate to order a person to be measured or photographed.

5. If a magistrate is satisfied that, for the purposes of any investigation or proceeding under the Code of Criminal Procedure, 1904, it is expedient to direct any person to allow his measurements or photograph to be taken, he may make an order to that effect, and in that case the person to whom the order relates shall be produced or shall attend at the time and